

# JCOS Recorptipto 17 OCT 2005 PCT\$

Attorney Docket No: 1171/42784/157-PCT-US

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:	Bremner et al. ( )	
	TEM FOR SENSING THE DELIVERY)) GASES TO A PATIENT )	I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on
Serial No.:	10/533,411	Juinny E. Setton
Filed:	April 29, 2005	Tiffany É. Sexton
Art Unit:	Not yet assigned )	
Atty Docket	No.: 1171/42784/157-PCT-US )	·

### RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

MAIL STOP: MISSING PARTS

Sir:

The above-noted application was filed on April 29, 2005, via Express Mail. As a result of the original, executed Declaration document not being attached to said application, a Notice to File Missing Parts issued.

In response to the aforementioned Notice, please find enclosed herewith the following:

- a. The original Declaration and Power of Attorney for Patent Application, executed by the inventors, Michael Brian Edward Bremner; Brett John Huddart and Scott Robert Mackie.
- b. A copy of the aforementioned Notice to File Missing Parts of Application
- c. A check in the amount of \$130.00 for payment of late filing of the executed

  Declaration and Power of Attorney.

10/20/2005 GFREY1 00000143 10533411

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130.00 DP



If the afore-mentioned check is missing or insufficient, the Commissioner is hereby authorized and requested to charge Deposit Account No. 20-1495 any amount necessary to cover any costs associated with this Response or to credit any overpayment.

Respectfully submitted,

Dated: Ochohu 14, ZUW

By:

Raiford A. Blackstone, Jr., Reg. No. 25,156 Linda L. Palomar, Reg. No. 37,903 Attorneys for Applicant TREXLER, BUSHNELL, GIANGIORGI,

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## United States Patent and Trademark Office

JEP. H. Case 157-Pct-US

UNITED STATES DEPARTMENT OF COMMERC United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Viginia 22313-1450 www.uspto.gov

INTERNATIONAL APPLICATION NO

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/533,411

Michael Brian Edward BREMNER

1171/42784/157-PCT-US

PCT/NZ03/00244

I.A. FILING DATE

PRIORITY DATE

10/30/2003

11/01/2002

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TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD: CONFIRMATION NO. 9055 871, FORMALITIES LETTER \*\*OC00000017152090\*

Date Mailed: 10/03/2005

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Copy of IPE Report filed on 04/29/2005
- Preliminary Amendments filed on 04/29/2005
- Information Disclosure Statements filed on 04/29/2005
- Oath or Declaration filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Priority Documents filed on 04/29/2005

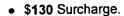
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath
  or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the
  missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:







ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

### FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

### PART 1 - ATTORNEY/APPLICANT COPY

	DIFFERNATIONAL APPLICATION NO	ATTY, DOCKET NO.
U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	
10/533,411	PCT/NZ03/00244	1171/42784/157-PCT-US

FORM PCT/DO/EO/905 (371 Formalities Notice)